

## RULE 306

### Demolition and Renovation Project Fees

#### (A) General

##### (1) Purpose

- (a) This rule requires fees for Demolition and Renovation projects subject to the National Emissions Standards for Hazardous Air Pollutants for Asbestos as set forth in 40 Code of Federal Regulations, Part 61 (40 CFR 61), Subpart M, (and as adopted by reference in District Rule 1000(C)(2)(m)), to recover the estimated reasonable costs of evaluating plans, including, but not limited to review, inspection and monitoring related thereto.

##### (2) Applicability

- (a) The provisions of this rule shall apply to Demolition projects and Renovation projects.

#### (B) Definitions

##### (1) For the purposes of this rule, the following definitions apply:

- (a) “Demolition” - the wrecking or taking out of any load-supporting structural member of a Facility together with any related handling operations, or the intentional burning of any Facility.
- (b) “Facility” - any institutional, commercial, public, industrial, or residential structure, Installation, or building (including any structure, Installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For the purposes of this definition, any building, structure, or Installation that contains a loft used as a dwelling is not considered a

residential structure, installation, or building. Any structure, Installation or building that was previously subject to [40 CFR 61, Subpart M](#) is not excluded, regardless of its current use or function.

- (c) “Installation” – any building or structure or any group of buildings or structures at a single Demolition or Renovation site that are under control of the same owner or operator (or owner or operator under common control).
- (d) “Renovation” - altering a Facility or one or more Facility components in any way, including the removal of asbestos-containing material from a Facility component. Operations in which load-supporting structural members are wrecked or taken out are Demolitions.

### (C) Demolition Project Fees

- (1) For each Demolition project subject to the notification submittal requirements of [40 CFR 61, Subpart M](#), including Demolitions where no asbestos is present and/or Demolitions by fire, operators shall pay a fee of \$125.00 at the time of submittal of the notification.
  - (a) This fee may be waived by the Air Pollution Control Officer in those cases where a single notification is submitted for a Renovation and subsequent Demolition on the same building, provided that the notification meets all the requirements of [40 CFR 61, Subpart M](#) for both projects.

### (D) Renovation Project Fees

- (1) For each asbestos Renovation project subject to the notification submittal requirements of [40 CFR 61, Subpart M](#), operators shall pay a fee at the time of submittal of the notification, as follows:
  - (a) For Renovation projects involving the removal or stripping of more than 260 lineal feet of pipe but less than 1600 lineal feet of pipe; or more than 160 square feet of material but less than 1000 square feet of material, a fee of \$275.00, except as noted in (2) below.

- (b) For Renovation projects involving the removal or stripping of 1600 lineal feet or more of pipe but less than 8000 lineal feet of pipe; or 1000 square feet or more of material but less than 5000 square feet of material, a fee of \$475.00, except as noted in (2) below.
- (c) For Renovation projects involving the removal or stripping of 8000 lineal feet or more of pipe or 5000 square feet or more of material, a fee of \$475.00 plus \$200.00 for each 8000 lineal feet of pipe or fraction thereof over 8000 lineal feet of pipe and for each 5000 square feet of material or fraction thereof over 5000 square feet of material, except as noted in (2) below.

(2) Calculation of Lineal Footage

- (a) Where the outside diameter of piping insulation (wrapping) is greater than 2.35 inches, the calculation of lineal footage of pipe shall be converted to square footage, the square footage of material involved to be calculated using the following equation:

$$A = 3.14159 LD/12$$

where: A = Area in square feet

L = Linear length of piping in feet

D = Outside diameter of pipe insulation (wrap) in inches

Such projects shall thereafter be evaluated in terms of square footage and the appropriate fee determined on the basis of total amount of material in square feet.

(3) Permit Requirements

- (a) Each HEPA filter or other control device used to ventilate a work area must obtain a Permit to Operate and pay the fee according to [Rule 301\(E\)\(7\)\(h\)](#) for an air pollution control device. This permit is good for one year from the date issued and may be used on any project within the district as long as the project notification contains a copy of the "Permit to Operate".

## (E) Subsequent Charges

- (1) If in the course of a Renovation project pursuant to [40 CFR 61, Subpart M](#), it is determined that the project involves the removal or stripping of material such that the project requires a greater fee than was initially proposed, the owner or operator shall pay the balance of the fee within 10 days.

- (2) If an owner or operator fails to report a change in any date as required by Rule 40 CFR 61, Subpart M, and the Air Pollution Control Officer determines that such failure necessitated expenditure of additional time by the District, over and above that upon which the plan fee is based, then the owner or operator shall pay an additional fee of \$55 per hour of additional time, billable in quarter hour increments.

(F) Refunds

- (1) Applicants who have paid fees for projects which are not accomplished, and for which a reimbursement is requested, shall be refunded the full amount less any amounts expended prior to the request for reimbursement.

[SIP: Not in SIP]